

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re: SJE, INC., a New Mexico Corporation,  
d/b/a Roto-Rooter,  
Debtor.

Case No. 17-11198-ja11  
Chapter 11

In re: JANS, INC., a New Mexico Corporation,  
d/b/a Cartwright's Plumbing,  
Debtor.

Case No. 17-11269-ja11  
Chapter 11  
(Jointly Administered)

**DEBTOR IN POSSESSION'S SECOND MOTION TO SCRAP VEHICLE**

The Debtor in Possession, JANS, Inc., a New Mexico Corporation d/b/a Cartwright's Plumbing (the "**Debtor**"), by counsel, pursuant to 11 U.S.C. § 363(b), and other applicable law, if any, moves the Court to enter an Order authorizing the Debtor to scrap certain vehicles (as defined below), and in support hereof, states:

1. Jurisdiction and Venue. The Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. Commencement of the Case. On May 18, 2017 (the "**Petition Date**"), the Debtor commenced this bankruptcy case by filing a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. Pursuant to Bankruptcy Code §§ 1107(a) and 1108, Debtor has retained possession of its assets as Debtor in Possession.

3. Joint administration of Related Chapter 11 Cases. On July 12, 2017, the Court entered an *Order Authorizing Joint Administration of Related Chapter 11 Cases for Procedural Purposes* (Doc. 58 in Case No. 17-11198 and Doc. 56 in Case No. 17-11269), commencing joint administration of this bankruptcy case and Debtors affiliate SJE, INC., d/b/a Roto Rooter's related chapter 11 cases.

4. Prior Authority to Recycle Vehicles. On July 7, 2017, the Debtor filed its *Motion to Scrap Vehicles* (No. 49 in Case No. 17-11269) (the “**First Motion**”). On August 14, 2017, the Court entered an *Order Granting Debtors’ Motions to Scrap Vehicles* (Case No. 17-11198-j11, Doc. No. 91), authorizing the Debtor to scrap and recycle the vehicles listed in the motion with Mr. G’s recycling (the “**First Order**”).

5. The Vehicle. Following entry of the First Order, the Debtor identified a 2011 Ford Econoline E150 Van, VIN# 1FTNE1EW8BDA85692 (the “**Vehicle**”) that was damaged in an accident pre-petition that was not included in the First Motion and not listed in Debtors bankruptcy schedules. In its current condition, the Vehicle is beyond repair and estimated to have a scrap value of \$100.00. The Debtor is not aware of any liens on any the Vehicle. The Vehicle was involved in a pre-petition auto wreck and title had been transferred to Hallmark Insurance. However, the Debtor has contacted Hallmark Insurance, who declined to return the title but also did not want the Vehicle back. Scrapping the Vehicle is therefore the most efficient way to dispose of the Vehicle.

6. Proposed Recycling of the Vehicle. By this Motion, the Debtor seeks authority from the Court to scrap and recycle the Vehicle with Mr. G’s Recycling in exchange for the aggregate value of the scrapped material totaling \$100.00. The Debtor will not be charged towing costs for the Vehicle.

7. The Proposal is fair and equitable, and is in the best interests of and beneficial to the Debtor’s estate and the creditors. The Debtor has researched and analyzed the value of the Vehicle and believes recycling the Vehicle is in the best interest of the estate. Given the inoperative condition of the Vehicle, recycling the Vehicle is a reasonable and cost-effective alternative that will eliminate towing expenses the Debtor would otherwise incur to dispose of the Vehicle.

WHEREFORE, the Trustee requests that the Court enter an order authorizing the Debtor to scrap and recycle the Vehicle with Mr. G's Recycling in exchange for the aggregate value of the scrapped material totaling \$100.00 and for all other just and proper relief.

Respectfully submitted,

ASKEW & MAZEL, LLC

By: /s/ filed electronically

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*Attorneys for the Debtor in Possession*

This certifies that on March 23, 2018, a copy of the foregoing pleading was served by the Bankruptcy Court's electronic filing system on all parties who have entered an appearance in this case and the foregoing pleading was served by U. S. mail to the following:

Hallmark Insurance Associates, Inc.  
c/o Pacific Registered Agents, Inc.  
4801 Lang Ave. NE, Ste. 110  
Albuquerque, NM 87109

American Hallmark Insurance Company of Texas  
777 Main Street, Suite 1000  
Fort Worth, TX 76102

s/ Filed electronically  
Daniel A. White